

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

IN RE: Marcel Mays

Case no. 16-53658
Judge Oxholm
Chapter 13

_____/
Shirley L. Horn
Attorney for Debtor(s)
25600 Woodward Ave, Ste# 214
Royal Oak MI 48067
(248) 398-9900
(248) 398-9902, Fax
shirleyhorn@sbcglobal.net /

**OBJECTION TO PROOF OF CLAIM OF
STATE OF MICHIGAN, PACER CLAIM # 8**

NOW COMES, Shirley L. Horn, attorney for Debtor(s), and objects to the Proof of Claim filed by the above named Creditor, and in support thereof states as follows:

1. This Creditor filed a proof of priority and unsecured claim dated 2/2/2017, in the amount of \$1,209.56, for the tax year of 2015. (Income Tax-\$ 185.45, City Tax- \$ 1,019.89.
2. Debtor(s) objects to the claim as client did not receive income for tax year 2015 IRS Form 3949-A. (Exhibit B.)
3. Debtor does note that the amount claimed is \$ 1,209.56 and the ledger attached to the proof of claim totals \$ 1,205.34.

WHEREFORE, Debtor(s) prays that this Honorable Court modify the Proof of Claim filed on behalf of STATE OF MICHIGAN as follows:

Claim is denied in its entirety, and grant any further and other relief as this Court deems equitable and just.

Dated: 3/10/2017

/s/ Shirley L. Horn
Shirley L. Horn (P52071)
Attorney for Debtor(s)
25600 Woodward Ave, Ste# 214
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(248) 398-9900
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NOTICE OF OBJECTION TO PROOF OF CLAIM

Debtor(s) have filed an Objection to your claim in this bankruptcy case.

Your claim may be reduced, modified or denied. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the court to deny or change your claim, then pursuant to L.B.R 3007-1, you must file with the court and serve on the objecting party a written response to the objection not later than 7 days before the date set for the hearing below.

1. File your response, explaining your position at:

United States Bankruptcy Court
211 W. Fort St., 17th floor
Detroit, MI 48226

2. You must also mail a copy of your response to:

SHIRLEY L. HORN, Attorney for Debtor(s), 25600 Woodward Ave, Ste# 214, Royal Oak MI 48067

TAMMY L. TERRY, 535 Griswold, Suite 2100., Detroit, MI 48226

3 Attend a hearing on the objection, to be held on April 24, 2017 at 10:00 a.m. in Courtroom 1875, United States Bankruptcy Court, 211 W. Fort, Detroit, MI, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. (Unless the matter is disposed of summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor other evidence will be received. A pre-trial scheduling order may be issued as a result of the pre-trial conference).

If you or your attorney do not take these steps, the court may deem that you do not oppose the objection to your claim, in which event the hearing will be cancelled, and the objection sustained

Dated: 3/10/2017

/s/ Shirley L. Horn
Shirley L. Horn (P52071)
Attorney for Debtor(s)
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**ORDER DENYING PROOF OF CLAIM
OF STATE OF MICHIGAN, PACER CLAIM # 8 IN ITS ENTIRETY**

This matter came on for hearing upon the Objection to Proof of Claim filed by Shirley L. Horn, attorney for Debtor(s), pursuant to L.B.R. 3007-1 (E.D.M.), the Objection having been served with the Notice of Objection to claim in accordance with the local bankruptcy rules, the requisite time for a response having passed, no response to the Objection having been timely filed and served, and the Court being otherwise sufficiently advised in the premises;

IT IS HEREBY ORDERED that the Proof of Claim filed on behalf of STATE OF MICHIGAN is modified as follows:

Claim is denied in its entirety, and grant any further and other relief as this Court deems equitable and just.

The Chapter 13 Trustee is not obligated to recoup any funds previously disbursed to said creditor.

Exhibit A- Proposed Order